

Kramer Levin

Paul H. Schoeman
Partner
T 212.715.9264
F 212.715.8064
PSchoeman@kramerlevin.com

1177 Avenue of the Americas
New York, NY 10036
T 212.715.9100
F 212.715.8000

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Via ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Stephen M. Calk, 19 Cr. 366 (LGS)

Dear Judge Schofield:

We write in response to the government's August 7, 2020 letter, in which it advised that it has discovered a large quantity of previously overlooked material in the files of the Special Counsel's Office and described a proposed process for rectifying this error. Yesterday, the Court ordered the government to provide a status report on its efforts on or before September 9.

The defense remains deeply troubled by the manner in which the government has conducted discovery in this case. As argued in our April 13, 2020, discovery motion (Dkt No. 68), given the overlap between the SDNY and SCO investigations, it was incumbent on the government to identify and thoroughly review the SCO files for potentially relevant materials more than a year ago, when it brought this case. Even at this late date and after twice representing (most recently at the July 2, 2020 conference) that its SCO production was complete, the government has apparently failed to do so.

The defense will await the arrival of the government's new productions and its status report to the Court. We also expect that the government will promptly advise the defense of any *Brady* information that it discovers among these materials. Should it appear to the defense that further relief is warranted, we will so advise the Court.

Respectfully submitted,

/s/ Paul H. Schoeman

Paul H. Schoeman
Darren A. LaVerne

cc: All counsel (by ECF)